#### UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Agnieszka Boesen

Art Unit: 1648

Re: Application of:

SUNG, Young Chul et al.

Application or: Serial No.:

10/528,644

Filed:

March 18, 2005

For:

A VACCINE ENHANCING THE PROTECTIVE IMMUNITY TO HEPATITIS C VIRUS USING PLASMID DNA AND RECOMBINANT

ADENOVIRUS

#### DECLARATION OF DEPOSITOR

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 November 15, 2007

SIR:

I. SUNG, Young Chul hereby state:

- That I am a co-inventor of the above-identified patent application.
- 2. That, on August 29, 2002, I deposited samples of

pGX10 gDsAST, pGX10, pGX10 NS5, rAd gDsAST, rAd gDsNS34 and rAd NS5

with the Korean Culture Center of Microorganisms (KCCM), as an International Depository Authority, at 8361-221 Yurim B/D, Hongje-1-dong, Seodaemun-gu, Seoul 120-091, Republic of Korea, in compliance with the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purpose of Patent Procedure as Deposit Accession Numbers KCCM 10415, KCCM 10417, KCCM 10416, KCCM 10418, KCCM 10420 and KCCM 10419, respectively.

Copies of the accession agreement are annexed hereto as Exhibit A.

3. I hereby assure the United States Patent and Trademark Office and the public that (a) all restrictions on the availability to the public of the deposited materials referred to in paragraph 2 will be irrevocably removed upon issuance of a United States patent of which any of such deposited material is the subject; (b) the deposited materials will be maintained for a period of at least five years after the most recent request for the furnishing of samples of any of the deposited materials were received by the KCCM and, in any case, for a period of at least 30 years after the date of deposit or for the effective life of such patent, whichever is longer; (c) should any of the deposits become non-viable or mutated, or otherwise incapable of being furnished by the depository upon request due to the condition of the deposit, it will be replaced by Applicants; and (d) access to the cultures will be available to the Commissioner during the pendency of the patent application or to one determined by the Commissioner to be entitled to such cultures under 37 C.F.R. §1,14 and 35 U.S.C. §122.

I hereby declare further that all statements made berein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that I make those statements with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under §1011 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

\*November 15, 2007 SUNG, Young Chul

Oute

Out Young Chul

## Exhibit A

Deposit Receipts for KCCM 10415, KCCM 10417, KCCM 10416, KCCM 10418, KCCM 10420 and KCCM 10419, respectively in U.S. Ser. No. 10/528,644 are as follow:

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